

CITY FURNISHED STONE FOR SEWERS

Mistakes Made in Supplying Specifications to Bidders.

BURTON CLAIMS HE PROVED CASE

Evidence Before Committee Investigating Engineer's Office Shows That City Paid Contractor for Hauling Stone Which He Had Agreed to Furnish.

Discrimination in specifications, probably unintentional, was clearly proven last night by the evidence taken by the subcommittee appointed to investigate the charges of Contractor C. G. Burton, it being shown that in several specific instances specifications had gone out for sewer work which were not interlined with the requirement as to furnishing stone, while the large majority were so interlined. It was also testified by several contractors that although their contracts clearly stated that they were to furnish stone for sewer caps, they in fact did not furnish it, but followed the former custom and had it supplied by the city.

Paid Twice for Stone.

W. E. Fletcher, who not only contracted for sewers, but also had a general contract with the city for furnishing and hauling stone, testified that his sewer contract required him to furnish stone; that he had not included the item in his bid, believing that it was not necessary; that he had completed the work and been paid at the contract price for finished work; that in the course of the work he had hauled stone from the city supply to his own job, and charged for hauling and setting it, thus, according to attorneys for Mr. Burton, being paid twice for the same stone. It was contended that he was not paid twice since he did not bid on stone for the sewer, though his contracts, as signed, required him to furnish it, and the city could have enforced that clause.

Messrs. O'Flaherty and Fulton appeared for Mr. Burton, as before. In the absence of James W. Gordon from the city, W. A. Moncreu appeared for the children of the late First Assistant City Engineer Jackson Bolton, who was in charge of sewer work at the time the Burton charges were filed. Little or no reference was made to Mr. Bolton, except in the case of Contractor A. W. Maynard, who corrected the record of his testimony previously by saying that it was City Engineer Bolton, not Mr. Bolton, who had told him he need not furnish the stone, although his contract required it. That part of the conversation Mr. Bolton distinctly denied.

Mayor Richardson was an interested spectator, sitting with the committee—Messrs. Vonderlehr, Miller and Gunst.

Contracts Differ.

When the committee was called to order, Mr. Bolton resumed the stand and identified many sewer contracts of 1911 with interlineations as before described in the handwriting of Frank T. Bates, requiring contractors to furnish stone, and some contracts which did not show that interlineation, and which Mr. Bolton said could only have been given out by error. Mr. Bolton also identified an interview and statement in The Times-Dispatch which was offered in evidence by Mr. Fulton. Mr. Bolton explained that the instructions of the Street Committee were not to change specifications, but to prepare specifications, saying that the committee itself never prepared specifications, but directed the engineer to do such a work. It was agreed that the engineer had authority to make changes and improvements in the specifications, and that the changes were all alike in all proposals on the same work, and they were immaterial.

Had Two Sets.

"Doesn't this change show that bidders were bidding on two sets of specifications?" asked Mr. O'Flaherty. "Yes, there were two contracts made both ways," answered Mr. Bolton. "Then that proves our case as to that point," replied Mr. O'Flaherty. Mr. Bolton explained that the specifications which were not interlined had gotten out without his knowledge, and that he had protested to the Street Committee against adopting the plan of bidding per linear foot, which had not proved successful. Mr. O'Flaherty showed one of the newly printed specifications recently sent out on sewer bids, showing that it was interlined with an explanatory line as to the drawings, which Mr. Bolton said had been done for information and guidance of bidders.

Might Lead to Discrimination.

"Then if whoever gives these specifications to bidders were to give some with this explanatory note and other forms without it, there would be discrimination?" asked Mr. O'Flaherty. "I should think there would," answered Mr. Bolton. "I do not know who gave out these forms not interlined."

"Who made the calculations," asked Mr. Fulton, "in which mistakes were made making the contract first \$5,500, then \$3,100, and finally \$1,850?" "I do not know of my own knowledge," replied Mr. Bolton, "but if you will call Mr. Saville he can tell you who made the various calculations."

Mr. Saville will be called later.

"Wasn't a contractor at a disadvantage who thought he had to furnish stone when his competitors did not?" asked Mr. Fulton. "Yes, he was unquestionably at a disadvantage," replied Mr. Bolton. "Could you not have required basins wherever you saw fit, at the bid price, even though not shown in the original blue prints?" "I think I could," replied Mr. Bolton, "but it would have been a question as to whether it was fair to require anything the plans do not call for."

Mr. Maynard Testifies.

Contractor A. W. Maynard was called to the witness chair, and testified as to the sewers he had built, saying that all stone in his work had been furnished by the city.

ADMIRAL'S STORY DENIED BY KNIGHT

Accused Captain Flatly Contradicts Testimony of Marshall.

TOLD IN PERSON AT END OF TEST

Evidence Creates Sensation at Court-Martial, Where Ordinance Board President Is on Trial on Charges of Negligence in Connection With Sinking Puritan.

Norfolk, Va., March 15.—A sensation was created at to-day's session of the Knight court-martial, when Captain M. Knight, president of the Naval Ordnance Board, testifying in his own behalf, flatly contradicted the testimony of Rear-Admiral W. A. Marshall, given earlier in the trial. Rear-Admiral Marshall declared that neither Captain Knight nor any one else had notified him, in person or by telephone, of anything concerning the monitor Puritan at the conclusion of the explosive tests.

Captain Knight, who is being tried on charges of negligence of duty in connection with the sinking of the Puritan after the tests, while on the stand had notified Admiral Marshall in person of the conclusion of the tests, and that the ship was ready to be taken to the Norfolk Navy Yard. Captain Knight said he called the office of Admiral Marshall by telephone from Old Point Comfort, and that someone else answered at first, but that afterwards Admiral Marshall himself came to the telephone.

Recognized His Voice.

"I recognized his voice, and he told me on the phone 'This is Marshall,'" declared Captain Knight. The judge advocate asked Captain Knight several times if he thought his duty was to make this experiment without first satisfying himself that proper preparations had been made. "As a captain in the United States Navy, did you think it right to risk a \$1,000,000 ship without first satisfying yourself that due precautions had been taken for her safety?" asked Lieutenant-Commander McLean.

"I didn't think that my duty demanded that I make an inspection," answered Captain Knight. The captain acknowledged having signed a letter which contained what he said was a typographical error. He said that he had dictated to a stenographer the word possibility, when it appeared in the letter probability. The judge advised that the letter had been signed by Captain Knight, although he did not know that it contained the wrong word.

In response to all questions leading to whether or not Captain Knight satisfied himself under all conditions in the memorandum from the Ordnance Board had been compiled with, and as to what he should have done to protect the government from loss by the sinking of the Puritan, the captain stated that he had done everything necessary, so far as his duty required.

In his examination in chief Captain Knight described the manner in which the charge was placed on the monitor. Leonard said that he met Admiral Marshall on the street in Washington and was talking to him about the preparations. He said that the admiral told him that everything was all right, and he had a little head ache, and he was worried about that, Knight, "You look out for your part, and we'll look out for ours." He said that the admiral seemed to be a little resentful.

Left for Washington.

Captain Knight stated that it had been previously agreed that he should remain in Norfolk until after the Puritan was in dock, but things seemed to be all right after the explosion, and he did not deem his presence in Norfolk necessary, and sent a message to the commandant asking that he be allowed to proceed to Washington. He said that he sent this message by Lieutenant Murdock, when he went ashore with the newspaper men, and that Mr. Murdock, when he came back, stated that the commandant said that Captain Knight could return to Washington. He said that he did not leave the Puritan until the dry dock, and that he had no orders to have her sent there.

Captain Knight stated that if he had been the senior officer present he did not think it was his duty to send the ship to the dock. He said that he had been nearly forty-two years in the service, and had never before a court of any kind on charges. On cross-examination, he stated that he fired the charge under instructions from the department, and that he would not have fired it had he been ready. He said that unless things were ready, he should not have fired the explosive against her, and that his examination of the ship or to see what facilities had been prepared for her docking after the charges had been fired.

The court adjourned until to-morrow.

GAYNOR OFFERS TO ACT

Believes He Can End Express Employees' Strike.

New York, March 15.—Mayor Gaynor came out with a letter to-night offering to act as arbitrator in the strike of Adams Express Company employes, provided the men return to work at once and appoint a committee to present their grievances to him. "I have assurances from the company," he writes, "which enable me to say that such grievances will be rectified."

If action is taken immediately, he concludes, he believes the strike will be settled to the satisfaction of everybody.

ALL KEYED TO TOP OF ANTICIPATION

Officers and Privates Prepare for War While Talking Peace.

REACH LIMIT OF EFFICIENCY

Process of Recruiting Regiments to War Strength Is Progressing Slowly—Many Green Men Are on Field and Equipment Has Not Arrived.

San Antonio, Texas, March 15.—Preparing for war and talking peace sums up the situation in Fort Sam Houston and the "provisional manoeuvre division" to-day. As swiftly and as completely as the existing organization of the army and its relations with the railroads permit, recruits, additional arms and ammunition are coming to the San Antonio base.

Major-General William H. Carter talks suavely about division and brigade manoeuvres, marches to Leon Springs and "cross-country hikes." Meantime every junior officer in the army, every old first sergeant, every private almost, is keyed to the top of anticipation, and those who have seen both service and manoeuvres say that "manoeuvres" in the present operations approximate preparations for hostilities more closely than was ever the case before.

Where Efficiency Ends.

With the opening of divisional and brigade headquarters, the incoming of recruits and the beginning of the big supply depot, the "mobilization movement" has reached a point where it has developed the line at which the present army system forces efficiency to stop.

The first five or six days showed that in the units which existed actually as well as in theory—the regiments that worked together—the standard was high, the lessons of the Spanish-American War were well learned. The commands that existed at brigade and under individual commanders were ready to move and did move just as fast as troop trains could be boarded and forwarded by rail.

The regiments reached Fort Sam Houston in perfect trim. Their training and establishment in location was almost perfect. But there efficiency stopped. The process of recruiting to war strength, now going on admittedly, is bringing problems difficult to solve. The recruits have not reached here equipped, nor were equipments as a whole but not scheduled the arrival of equipment and recruits so that delay would be avoided.

Formation Moves Slowly.

The actual "manoeuvres" of the brigade and divisional organization after the arrangements were made moves slowly. Most of the commands had been on the ground two and three days before the unaccustomed functions of brigade and division organizations began, for, truth to tell, they have not entirely discharged themselves as yet. It develops that there are brigade commanders here who have never commanded a brigade; there are lieutenant-colonels who have never taken a field with a command larger than a company; there are colonels who have never taken a regiment together as a whole for a year at a time.

That the territorial department system and the multiplicity of posts are the causes of the chief evils is generally agreed. The dream of the army of divisional and brigade organization is a practical fact, with large posts from which as a base the officers and men can gain experience and practice in the common run of activity in regimental, brigade and division movement and exercise.

Exaggerate Posts Not Needed.

"We argue no hungry bay oncers," for the elaborate posts, the pretty parks, the long lines of expensive houses and dunes which make a post commander the mayor of little municipalities and of the men mere park attendance men, who do street cleaning and attend to the water supply. "Our past training throughout the wars up to date made us expert detachment and post fighters. The authorities have said that we are the best in the world. But that day is past."

"We want now a chance to prepare for the sort of fighting this country will have if she ever faces a first-rate power. We want our colonels to have moved with regiments in the field before they reached command; our brigadiers to have moved with brigades before they got their stars; our divisional commanders to have taken the field with divisions before the demands of actual authority were made upon them."

This all sums up the views expressed by almost every officer, and the whole command buzzes with discussion of the army problems. The officers are grimly in earnest in their desire to attain real fighting efficiency. "This mobilization movement has been shown in terms of deeds and character that surpassed report of the Secretary of War would have shown in words had Congress permitted its publication." Such is the terse way one commentator on the theme expressed himself.

Put Blame on Congress.

"Our efficiency is splendid," said another, "just as far as our organization has permitted us to possess efficiency." "Log-rolling for congressional districts, rather than for the national military efficiency, has characterized Congress's attentions to the army," declared one civilian commentator. "The geographical balance of patronage, rather than the military necessities of the nation, has marked the nation's military expenditures," said another.

Meantime 20,000 troops are covering the Mexican border, having been transported thousands of miles at a terrific cost, just twenty days after the national administration prepared army appropriations and estimates down to the bone.

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Troops at Fort Monroe Leaving for the Front



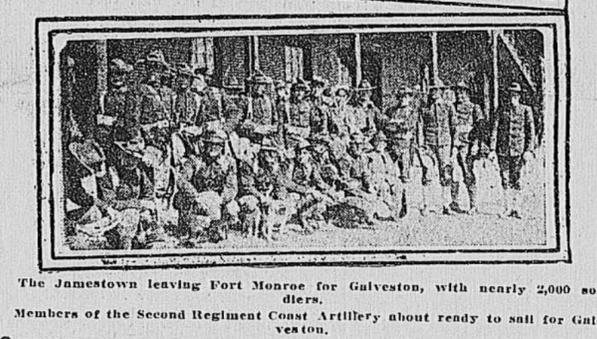
The baggage of the men and officers of the Seventy-third Coast Artillery.



Waiting for the Jamestown to sail.



Colonel Clarence Page Townsley, of the Second Coast Artillery, on the porch of his home at Fort Monroe, Va. Colonel Townsley has the last orders in his hands before departing for Galveston.



The Jamestown leaving Fort Monroe for Galveston, with nearly 2,000 soldiers. Members of the Second Regiment Coast Artillery about ready to sail for Galveston.

'DOPE' IS WRONG; PRESIDENT WINS

In Fashion He Defeats Congressman Martin Littleton.

GAME BADLY DELAYED

Political Issues and Constitutional Law Seem to Share Their Attention.

Augusta, Ga., March 15.—President Taft and Representative Martin V. Littleton, of New York, played a game of golf to-day. The match was arranged last Saturday. In a way it was a contest between the Republican and Democratic parties. Mr. Littleton, who at the last election had the distinction of defeating Colonel Roosevelt's friend and neighbor, Congressman Cocks, of Oyster Bay, was regarded by the experts here as having a shade on the President at the royal game. But he was taken entirely off his guard by the President's game to-day, and Mr. Taft won rather handsily by a score of 2 up and 1 to play.

The match attracted great attention among the golfers at the Country Club. One of its most interesting features was the fact that the President, who is generally supposed to get side-tracked on some political issue or some point of constitutional law and would stand for several minutes gesticulating and arguing with each other, apparently forgetful of the game itself, and heedless as to whether the balls, recently driven from the tee had fallen into a bunker or not.

The golfers who were playing ho-ho the match seemed to enjoy the situation rather than feel put out by the delay to their own games. Mr. Littleton came in for a great deal of chiding, in which the President laughingly joined with the remark that

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EXAGGERATIONS OF PESSIMISTS

Rumors of Hostile Action Toward Mexico Should Not Be Believed.

MORE FAITH IS URGED

Baron de Constant Calls Attention to This Country's "Conciliatory Policy."

Washington, D. C., March 15.—Rejecting what he termed the "alarming exaggerations of pessimists" in their interpretation of the attitude of the United States toward Mexico in the political disorders of the latter country, Baron De La Barra, the Mexican ambassador, and James Brown Scott, secretary of the Carnegie Endowment, for International Peace, occupied seats on the rostrum of the snow white oval room of the Pan-American Union, itself a dedication to the cause of peace in the countries of North and South America. In the audience were many members of the diplomatic corps and prominent advocates of the movement for universal peace.

"I have good reasons not to follow the alarming exaggerations of pessimists," said Baron De Constant, as he turned from the discussion of the general principles of world-wide peace to Mexican affairs, "good practical reasons which are dictated to me by my professional diplomatic knowledge of the last ten or twelve years, since I was a member of the first Hague conference and by my personal experience."

"In fact, I have been the witness of the constant efforts of the United States government to promote, support and initiate the policy of conciliation, justice and peace which I am advocating for my country and for others."

Slight Cut on Hand Proves Fatal.

Waterloo, N. Y., March 15.—Charles H. Remington, treasurer of the Remington-Martin Paper Company, and connected with other large paper-making interests in Northern New York, died to-day as the result of blood poisoning caused by a slight cut on his hand, inflicted about a week ago.

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GEORGIA MAY GET POLITICAL PLUMS

President's Liking for Hospitable Southerners Is Well Recognized.

BRYAN COMES TO TOWN

Receives Hint That He Should Not Stay Around Washington.

(Special to The Times-Dispatch.) Washington, D. C., March 15.—Many eyes are being turned toward President Taft and his Augusta trip, and many persons are watching to see what the result of his stay there will be. The memorable occasion, just before his inauguration, when President Taft made his first prolonged stay in the South, and captivated the people of Augusta—white and black alike—has never been forgotten. So well pleased with the Georgians was the President that he told them then and there that he would come back to see them again, and that promise now has been fulfilled. On the other hand, no price or potentate could have received more attention than did Mr. Taft. The admiration was mutual, and in time the Chief Executive let the Georgians know what he thought of them by handing down some good political appointments—these, of course, being in the usual order of things, and not because of the attentions that he had received.

Since the President is back in Georgia again, and is being winned and dined and banqueted just as long as he can stay awake, the natural assumption is that some time in the future there may be another good shaking of the political plum tree, and though no more Supreme Court appointments are to be made ere awhile, it was the case with attention that Mr. Taft, in the time for a good man somewhere in the Federal service when the President believes the government needs one. Therefore it would not be surprising should more Georgians land in good places in the near future.

No Enthusiasm for Bryan.

When William J. Bryan came to Washington a day or two ago to take a peep at the political situation, there was very little enthusiasm to be noticed. The "Great Nebraskan" slipped in, went to the home of a friend, and then just as quietly slipped out again. No band met him at the railroad station; there was no noisy demonstration in the public streets, and, all told, possibly the least attention that he had received.

Americans Are Safe.

El Paso, Texas, March 15.—Assurance of the safety of all Americans now confined in Mexican prisons was given in an official statement issued at Juarez to-night.

Americans now prisoners will have trials in civil courts on charges of sedition against the Mexican government, but hereafter all insurgents, whether citizens of the United States or not, may be subject to the death penalty under summary military procedure. The statement from the Mexican officers was issued relative to the seventeen foreigners now imprisoned in the Federal jail at Casas Grandes. Fifteen of them are Americans and two Europeans. Pending their trials they will have the consideration due to prisoners of war.

Colonel Cuellar, in command at Casas Grandes, is suffering of wounds. As soon as he is able to move the prisoners will be marched 170 miles to Chihuahua to face the civil courts. The men are confined in cells in the adobe prison, under guard of Mexican soldiers. Their rations consist of such

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AMERICAN TOWN RECEIVES FIRE

Mexican Rebels Send Volley of Bullets Into Andrade.

FORCES CROSS BORDER LINE

Finance Minister Limantour Slips Out of New York, Bound for Mexico City—May Be Given Military Escort Through Texas—Wants Nothing but Truth.

Calexico, Cal., March 15.—Firing from the American side of the international line, Mexican customs officials at Ilogones to-day sent a volley into the insurgents' line, after replying by firing across the line into the American town of Andrade.

No one was wounded so far as known.

Attempt to Destroy Barracks.

El Paso, Texas, March 15.—An attempt was made to-night to blow up the barracks at Juarez, Mexico. Two heavy charges of nitroglycerine were exploded, tearing out parts of the building, and causing the Mexican troops. Two of a small band of insurgents who secretly entered town were wounded and captured.

A number of Mexican cavalrymen are reported to have been injured. The shock of the explosion was felt throughout Juarez, and immediately a cry was raised that the insurgents had surrounded the place in great numbers and were attacking. Merchants left their stores and crowds prepared to flee to the American side.

The attacked barracks are in the heart of the town.

A small band of insurgents is supposed to have crept into the town and placed the explosive. Soldiers on the lookout on top of the barracks opened fire, bringing down two of the insurgents. The rest escaped into the country.

A guard was placed around the barracks. It could be seen from adjacent streets that a number of the barrack buildings were wrecked.

The wounded insurgents were carried away by soldiers. Mexican officers denied that any one had been killed. They would not say how many.

The town soon quieted down, and the people who had prepared to cross the bridge, returned to their homes.

Limantour Leaves for Home.

New York, March 15.—Jose Yves Limantour, Mexico's minister of finance, slipped quietly out of town this afternoon, apparently bound for Mexico City.

From what could be learned, he has abandoned his idea of going home by way of Florida and Havana, for he left New York at 2 P. M. over the Pennsylvania Railroad in his private car on route to St. Louis. Railroad officers denied that from St. Louis he would go direct to Laredo, Texas, and from that point travel to Mexico City by rail in a course to be determined by conditions on the border.

It is understood here that should Senator Limantour ask for a military escort through Texas, his request probably would be granted to prevent any act of guarding him to the border between Texas and Mexico.

Behind him Senator Limantour left a clerk at the desk of the hotel, and he had inquired about the sailings on or between Havana and New York. It will be recalled that on his arrival from Europe he said he intended to visit Yucatan and Vera Cruz, and that he hoped to arrive in Mexico City within ten or twelve days from the date he left New York.

"There have been frequent and persistent rumors," his farewell statement in part stated, "that I would not return to Mexico, and that if I did it would not be to assume the duties of my office. I have tried to all acceptably for present disorders in Mexico, and I do not say that I am returning to Mexico not only to assume those duties, but my sphere of action to improve the general conditions of my country."

"How long will the insurrection last? Quite a long time, that will be dependent quite as much on the attitude of the American people never forget that the sources and possibilities of wonderful development can never come except through the complete co-operation of our country with the best interests of Mexico at heart. Shall all such unity in one determined effort, to bring about the desired result? This is my last and most serious word to the American people."

The minister complimented the press on its handling of his visit, but he chided it for printing sensational accounts of conditions in Mexico to which in large part he attributes the present disorders. He said that he declares, President Diaz has told his visitors that "all he desired to have told about his country was the truth; he has discouraged fulsome praise as much as muckraking." And this is all, says Senator Limantour, for himself.

Under the present conditions of the United States or of any country in dealing with Mexico—the truth."

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